

07-25-01

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PTO/SB/05 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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| | | |
|---|------------------------|---|
| UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i> | Attorney Docket No. | 924.1.053A |
| | First Inventor | James C. Costin |
| | Title | METHOD AND COMPOSITION FOR THE ERADICATION |
| | Express Mail Label No. | EL488122413US |

| | | | |
|---|--|---|--|
| APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents. | | ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, D.C. 20231 | |
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original, and a duplicate for fee processing)</i> | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i> | 1050 U.S. PTO 09/915121 07/25/01 | |
| 2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. | 8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> | | |
| 3. <input checked="" type="checkbox"/> Specification <i>[Total Pages 18]</i> <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings <i>(if filed)</i> - Detailed Description - Claim(s) - Abstract of the Disclosure | a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies | | |
| 4. <input type="checkbox"/> Drawing(s) (35 U.S.C. 113) <i>[Total]</i> | ACCOMPANYING APPLICATION PARTS | | |
| 5. Oath or Declaration <i>[Total Pages]</i> <ul style="list-style-type: none"> a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> <ul style="list-style-type: none"> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). | 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i> 11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input checked="" type="checkbox"/> Preliminary Amendment 14. <input type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. | | |
| 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | 17. <input checked="" type="checkbox"/> Other: 1. Copy prior 37 C.F.R. 3.73(b) Statement; and 2. Power of Attorney PTO/SB/81. | | |

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/265,640

Prior application information: Examiner E. White

Group / Art Unit 1623

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label or ☒ Correspondence address below
(Insert Customer No. or Attach bar code label here)

| | | | |
|---------|----------------------|-----------|----------------|
| Name | Kenneth Watov | | |
| | Watov & Kipnes, P.C. | | |
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| | | | |
|-------------------|----------------------|-----------------------------------|----------|
| Name (Print/Type) | Kenneth Watov | Registration No. (Attorney/Agent) | 26,042 |
| Signature | <i>Kenneth Watov</i> | Date | 07-25-01 |

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

| | |
|----------------------|--------------------------------|
| Application Number | Unknown (Div. from 09/265,640) |
| Filing Date | Herewith |
| First Named Inventor | James C. Costin |
| Examiner Name | E. White |
| Group Art Unit | 1623 |
| Attorney Docket No. | 924.1.053 A |

TOTAL AMOUNT OF PAYMENT

\$710.00

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

23-0510

Deposit
Account
Name

Watov & Kipnes, P.C.

- ☒ Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status.
See 37 CFR § 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|-------------|-------------|-------------|-------------|------------------------|----------|
| 101 | 710 | 201 | 355 | Utility filing fee | 710.00 |
| 106 | 320 | 206 | 160 | Design filing fee | |
| 107 | 490 | 207 | 245 | Plant filing fee | |
| 108 | 710 | 208 | 355 | Reissue filing fee | |
| 114 | 150 | 214 | 75 | Provisional filing fee | |

SUBTOTAL (1) \$710.00

2. EXTRA CLAIM FEES

| Extra Claims | | Fee from below | Fee Paid |
|-----------------------|-------------|-------------------|----------|
| Total Claims | 3 -20** = 0 | X | 0.00 |
| Independent Claims | 1 -3** = 0 | X | 0.00 |
| Multiple Dependent | | | |

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description |
|-------------|-------------|-------------|-------------|---|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 80 | 202 | 40 | Independent claims in excess of 3 |
| 104 | 270 | 204 | 135 | Multiple dependent claim, if not paid |
| 109 | 80 | 209 | 40 | ** Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|-------------|-------------|-------------|-------------|---|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non - English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 390 | 216 | 195 | Extension for reply within second month | |
| 117 | 890 | 217 | 445 | Extension for reply within third month | |
| 118 | 1,390 | 218 | 695 | Extension for reply within fourth month | |
| 128 | 1,890 | 228 | 945 | Extension for reply within fifth month | |
| 119 | 310 | 219 | 155 | Notice of Appeal | |
| 120 | 310 | 220 | 155 | Filing a brief in support of an appeal | |
| 121 | 270 | 221 | 135 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,240 | 241 | 620 | Petition to revive - unintentional | |
| 142 | 1,240 | 242 | 620 | Utility issue fee (or reissue) | |
| 143 | 440 | 243 | 220 | Design issue fee | |
| 144 | 600 | 244 | 300 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR § 1.17(q) | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Statement | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 710 | 246 | 355 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 710 | 249 | 355 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 710 | 279 | 355 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

SUBMITTED BY

Name (Print/Type)

Kenneth Watov

Registration No.
(Attorney/Agent)

26,042

Complete (if applicable)

Telephone

(609) 243-0330

Signature

Kenneth Watov

Date

07-25-01

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CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **James C. Costin**

Docket No.

924.1.053ASerial No.
Divisional of **09/265,240**Filing Date
(Herewith)Examiner
E. WhiteGroup Art Unit
1623

Invention: **METHOD AND COMPOSITION FOR THE ERADICATION AND CONTROL OF METHICILLIN-RESISTANT STAPHYLOCOCCUS AUREUS BACTERIA AND THE PREVENTION OF ANTIBIOTIC DRUG RESISTANCE IN SAID BACTERIA.**

I hereby certify that the following correspondence:

Utility Patent Application Transmittal; and Accompanying Application parts;

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under

37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

July 25, 2001
(Date)**Mandy Willever***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EL 488122413 US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**